

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

LA.App..No. 724 of 2005()

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LAR.60/2000 of PRL.SUB COURT, KOZHIKODE  
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**APPELLANT:**

STATE OF KERALA.

BY GOVERNMENT PLEADER SRI. K.V. MANOJ KUMAR

**RESPONDENTS: CLAIMANTS:**

1. MANKUZHIYIL PATHEYI,  
MANKUZHIYIL VEEDU, P.O. THALAKULATTUR,  
PURAKKATTIRI, KOZHIKODE.
2. MOIDEEN KOYA (DIED) MANKUZHIYIL VEEDU  
P.O. THALAKULATTUR, PURAKKATTIRI, KOZHIKODE.
3. PUTHAN PURAYIL ABDULLA,  
P.O. THALAKKULATHUR, PURAKKATTIRI, KOZHIKODE.
4. MANKUZHIYIL SAFIA, W/O. MOIDEEN KOYA,  
MANKUZHIYIL VEEDU, P.O. THALAKULATTUR,  
PURAKKATTIR, KOZHIKODE.
5. MANKUZHIYIL MASHOOD, S/O. MOIDEEN KOYA MANKUZHIYIL  
VEEDU, P.O. THALAKULATTUR, PURAKKATTIRI, KOZHIKODE.
6. MASFIRA, D/O. MOIDEEN KOYA,  
MANKUZHIYIL VEEDU, P.O. THALAKULATTUR,  
PURAKKATTIRI, KOZHIKODE.
7. SHAHAR BANU, D/O. MOIDEEN KOYA,  
MANKUZHIYIL VEEDU, P.O. THALAKULATTUR,  
PURAKKATTIRI, KOZHIKODE.
8. SHEHISHAD, S/O. MOIDEEN KOYA, MANKUZHIYIL VEEDU,  
P.O. THALAKULATTUR, PURAKKATTIRI, KOZHIKODE.

BY //

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD  
ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**KURIAN JOSEPH & HARUN-UL-RASHID, JJ.**

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**L.A.A. NO. 724 OF 2005**

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Dated this the 12<sup>th</sup> day of December, 2007

**JUDGMENT**

**Kurian Joseph, J.**

This appeal is filed by the State against the judgment and decree in L.A.R. No.60 of 2000 on the file of the Principal Sub Court, Kozhikode. The property is situated in Thalakkulathur village and the acquisition was for the formation of Calicut Bye pass. Section 4(1) notification is dated 15.1.1993. In respect of all connected matters covered by the same notification, this Court has sustained the land value at Rs.18,000/- per cent as per the judgment in L.A.A. No.982 of 2000 and connected cases. Therefore, this appeal is partly allowed. The land value is fixed at Rs.18,000/- per cent. The claimants shall be entitled to all the statutory benefits including interest and solatium.

**(KURIAN JOSEPH, JUDGE)**

**(HARUN-UL-RASHID, JUDGE)**

**sp/**

**KURIAN JOSEPH &  
HAURN-UL-RASHID, JJ.**

**L.A.A.NO**

**JUDGMENT**

**4TH DECEMBER, 2007**

